

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mounig G. Bawendi et al.  
 Serial No. : 10/632,922  
 Filed : August 4, 2003  
 Title : INVENTORY CONTROL

Art Unit : 1639  
 Examiner : My Chau T. Tran

**Mail Stop Amendment**

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 Randolph Building  
 401 Dulany Street  
 Alexandria VA 22314

**TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(c)**

Pursuant to 37 CFR §3.73(b), MASSACHUSETTS INSTITUTE OF TECHNOLOGY, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 009740, Frame 0091 on February 1, 1999. Massachusetts Institute of Technology also certifies that it is the assignee of U.S. Patent No. 6,326,144, recorded in the Patent and Trademark Office at Reel 010328, Frame 0390 on October 25, 1999; and U.S. Patent No. 6,617,583, recorded in the Patent and Trademark Office at Reel 009740, Frame 0091 on February 1, 1999. Copies of the assignments are enclosed for your reference.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in Massachusetts Institute of Technology.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(c), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of each of U.S. Patent No. 6,326,144, and U.S. Patent No. 6,617,583, whereby the patent granted on this application and each of U.S. Patent No. 6,326,144, and U.S. Patent No. 6,617,583 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,326,144, and U.S. Patent No. 6,617,583.

Applicant : Moungi G. Bawendi et al.  
Serial No. : 10/632,922  
Filed : August 4, 2003  
Page : 2 of 2

Attorney's Docket No.: 14952.0274 C1D1/  
MIT Case 8096

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of each of U.S. Patent No. 6,326,144, and U.S. Patent No. 6,617,583 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,326,144, and U.S. Patent No. 6,617,583.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for the required fee of \$130. Please charge any additional fees, or make any credits, to Deposit Account No. 19-4293, referencing Attorney Docket No. 14952.0274 C1D1.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 4-27-06



Harold H. Fox  
Reg. No. 41,498

**Customer No. 27890**  
Steptoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
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0492611-0321

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Patent and Trademark Office  
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CHOATE, HALL & STEWART  
ELIZABETH E. NUGENT  
EXCHANGE PLACE, 53 STATE STREET  
BOSTON, MA 02109

PTAS



\*100961555A\*

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RECORDATION DATE: 02/01/1999

REEL/FRAME: 9740/0091  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
BAWENDI, MOUNGI G.

DOC DATE: 01/26/1999

ASSIGNOR:  
JENSEN, KLAVS F.

DOC DATE: 01/26/1999

ASSIGNEE:  
MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY  
77 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS 02141

SERIAL NUMBER: 09160458  
PATENT NUMBER:

FILING DATE: 09/24/1998  
ISSUE DATE:

9740/0091 PAGE 2

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02-08-1999

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(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

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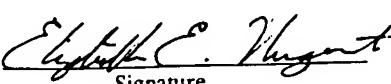
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Patent and Trademark Office

100961555

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

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Additional name(s) of conveying party(ies) attached?  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		City: Cambridge State: MA ZIP: 02141  Country: USA
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger  <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name  <input type="checkbox"/> Other (Termination of Security Interest)		Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Execution Date: 1/26/99		
4. Application number(s) or patent number(s):  If this document is being filed together with a new application, the execution date of the application is:		
A. Patent Application No.(s)  09/160,458		B. Patent No.(s)
Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed:  Name: Elizabeth E. Nugent  Internal Address: Choate, Hall & Stewart  Street Address: Exchange Place 53 State Street  City: Boston State: MA ZIP: 02109 02/05/1999 DNGUYEN 00000087 09160458		6. Total number of applications and patents involved: 1
		7. Total fee (37 CFR 3.41) . . . . . \$ 40.00 <input checked="" type="checkbox"/> Enclosed  <input checked="" type="checkbox"/> Authorized to be charged to deposit account
		8. Deposit account number: 03-1721  (Attach duplicate copy of this page if paying by deposit account)
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9. Statement and signature. <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>		
Elizabeth E. Nugent, Reg. No. P-43,839 Name of Person Signing		 Signature
		1/29/99 Date
Total number of pages including cover sheet, attachments, and document: 3		

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents and Trademarks, Box Assignments  
 Washington, D.C. 20231

Attorney Docket No. 0492611-0321 (MIT 8096)

**ASSIGNMENT**

**WHEREAS**, We, Moungi G. Bawendi of Boston, Massachusetts; Klavs F. Jensen of Lincoln, Massachusetts, and having invented certain new and useful improvements in **INVENTORY CONTROL** for which we have made application for United States Letters Patent; said application filed on September 24, 1998, and having a United States Serial No. 09/160,458;

**WHEREAS**, MASSACHUSETTS INSTITUTE OF TECHNOLOGY a non-profit educational institute having offices at 77 Massachusetts Avenue, Cambridge, Massachusetts, and its successors and assigns (collectively hereinafter called "the Assignee"), is desirous of acquiring my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledge, I do hereby sell assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may granted therefore, and all divisions, reissues, substitutions, continuations; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to the said ASSIGNEE of my entire right, title and interest.

I also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention, and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

I hereby further agree that I will communicate to said ASSIGNEE, or to its successors, assigns and legal representative, any facts known to me respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, I hereto set my hand and seal at Camb. MA,  
MASS this 26 day of Jan., 1998.

Moungi G. Bawendi

STATE OF Mass. ss.

COUNTY OF Middlesex.

Before me this 26 <sup>th</sup> day of Jan., 1998, personally appeared **Moungi G. Bawendi** known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Maria Nargi  
NOTARY PUBLIC  
My Commission Expires: 11/10/2000

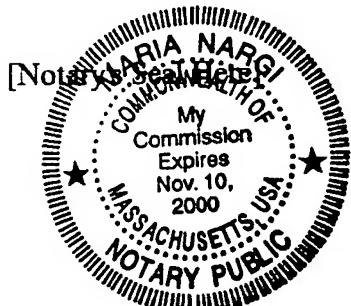
IN WITNESS WHEREOF, I hereto set my hand and seal at Camb. MA,  
Mass. this 26 day of Jan., 1998.

Klavs F. Jensen

STATE OF Mass. ss.

COUNTY OF Middlesex.

Before me this 26 <sup>th</sup> day of Jan., 1998, personally appeared **Klavs F. Jensen** known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



My Commission Expires: 11/10/2000

Maria Nargi  
NOTARY PUBLIC



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JANUARY 19, 2000

CHOATE, HALL & STEWART  
ELIZABETH E. NUGENT  
53 STATE STREET, EXCHANGE PLACE  
BOSTON, MA 02109\*



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RECORDATION DATE: 10/25/1999

REEL/FRAME: 010328/0390  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

BAWENDI, MOUNGI G.

DOC DATE: 01/26/1999

ASSIGNEE:

MIKULEC, FREDERICK V.

DOC DATE: 01/26/1999

ASSIGNEE:

SUNDAR, VIKRAM C.

DOC DATE: 01/26/1999

ASSIGNEE:

MASSACHUSETTS INSTITUTE OF  
TECHNOLOGY  
77 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS 02142

SERIAL NUMBER: 09160454

FILING DATE: 09/24/1998

PATENT NUMBER:

ISSUE DATE:

TARA WASHINGTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

10-27-1999

FORM PTO-161  
Expires 06/30/99  
OMB 0651-0027U.S. Department of Commerce  
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Month Day Year  
1/26/99Name (line 2)  Frederick V. MikulecExecution Date  
Month Day Year**Second Party**Name (line 1)  Vikram C. Sundar

1/26/99

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Patent Application Number(s)

09/160,454

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

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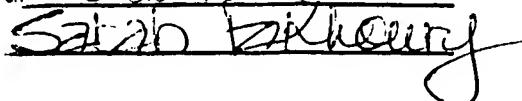
Elizabeth E. Nugent, Reg. 43,859

Signature

10/19/99

Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on 10-22-99



**ASSIGNMENT**

**WHEREAS**, We, **Moungi G. Bawendi** of Boston, Massachusetts; **Frederick V. Mikulec** of Somerville, Massachusetts; and **Vikram C. Sundar** of Somerville, Massachusetts having invented a certain improvement in a **BIOLOGICAL APPLICATIONS OF QUANTUM DOTS** for which We have made application for a United States Patent, said application filed on September 24, 1998, and having a United States Serial No. 09/160,454;

**WHEREAS**, Massachusetts Institute of Technology a non-profit educational institution having offices at 77 Massachusetts Avenue, Cambridge, MA 02142 and its successors and assigns (collectively hereinafter called "the Assignee"), is desirous of acquiring my entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

**NOW THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledge, I do hereby sell assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said Applications and all patents which may granted therefore, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and I hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as my interest is concerned, to the said ASSIGNEE of my entire right, title and interest.

I also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said Applications throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world, including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention, and all rights to register said invention in appropriate registries; and I further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

I hereby further agree that I will communicate to said ASSIGNEE, or to its successors, assigns and legal representative, any facts known to me respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 26 day of Jan., 1998.

Moungi G. Bawendi

STATE OF Mass. ss.  
COUNTY OF Middlesex

Before me this 26th day of Jan., 1998, personally appeared Moungi G. Bawendi known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Maria Nargi  
NOTARY PUBLIC

My Commission Expires: 11/10/2000

IN WITNESS WHEREOF, I hereto set my hand and seal at CAMBRIDGE,  
MASSACHUSETTS this 26 day of JAN, 1998.

Frederick V. Mikulec

STATE OF Mass ss.  
COUNTY OF Middlesex

Before me this 26th day of Jan., 1998, personally appeared Frederick V. Mikulec known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Maria Nargi  
NOTARY PUBLIC  
Exp 11/10/2000

[Notary's Seal Here]

My Commission Expires

IN WITNESS WHEREOF, I hereby set my hand and seal at Cambridge  
Mass. this 26 day of January, 1998.

*Vikram C. Sundar*

STATE OF MASS.

SS.

COUNTY OF Middlesex

Before me this 26th day of Jan, 1998, personally appeared  
**Vikram C. Sundar** known to me to be the person whose name is subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the purposes  
therein contained.

*Marcia Vargi*

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My Commission Expires: 11/10/2008

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